



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

August 19, 2004

The Honorable John Ashcroft  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

Dear Attorney General Ashcroft:

We were deeply disturbed by recent reports that raised concerns that an investigation being conducted by Florida Department of Law Enforcement officers was intimidating elderly members of Orlando's African-American community. The "visits", according to the police officers involved, were part an investigation of voter fraud allegations that arose during the Orlando mayoral election in March of this year.

In addition, earlier this year, Florida Governor Jeb Bush spent \$4 million of taxpayer money to purge a list of some 40,000 suspected felons from the rolls across the state, giving zero consideration to the accuracy of the list. Subsequent and recent press reports, supported by senior staff e-mails from within the Florida Department of State, have revealed that many of those removed from the list were, in fact, eligible voters. These actions mirror those taken by Governor Bush and members of his Administration prior to the 2000 election, when as many as 57,000 eligible voters were wrongfully removed from Florida's voter rolls and, subsequently, denied their lawful right to vote.

Injustice and voter intimidation are again showing their ugly faces in Florida. These tactics, possibly knowingly and thoughtfully orchestrated by the FDLE, echo our continuous struggle for voting rights and must be stopped. We request

that the Department of Justice immediately investigate and prepare to enjoin this threatening behavior.

The Justice Department has utilized the Civil Rights Act of 1957, 42 U.S.C. Section 1971(b) to halt tactics of voter intimidation and confusion. 42 U.S.C. 1971(b) does not require the intimidation to be the result of a voter's race or ethnicity. Further, interference with the right to vote had been defined broadly to include a wide range of conduct.

There are also three sections of Title 18 that could apply to voting rights issues and would invoke criminal penalties. First, Section 241 of Title 18 of the Civil Rights Act prohibits two or more persons from agreeing to jointly injure, threaten, or intimidate a person from exercising or enjoying any right granted by the Constitution or the laws of the United States.

Second, Section 242 of Title 18 makes it a crime for an individual acting under the "color of any law" to willfully deprive a person of a right by the Constitution or laws of the United States. Acts committed under the "color of law" include actions committed by Federal, state, or local officials within their lawful authority and acts done beyond the bounds of that official's lawful authority if under the "color of law" within this meaning of the statute includes police officers, prison guards and other law enforcement officials, judges, and others acting as public officials. This crime need not be motivated by animus toward the race, color, religion, sex, disability, familial status or national origin of the victim.

Finally, Section 245 of Title 18 makes it a violation of federal law to attempt or to willfully injure, intimidate or interfere with voting or qualifying to vote, whether or not acting under the color of law. In addition, this statute also prohibits willful interference, by force or threat of force, with a person because he or she is participating in, or aiding or encouraging others to participate in voting without discrimination as to race, color, religion, or national origin. All of these provisions would address the improper and questionable purging of names from the voting rolls and would certainly include "visits" to the homes of voters.

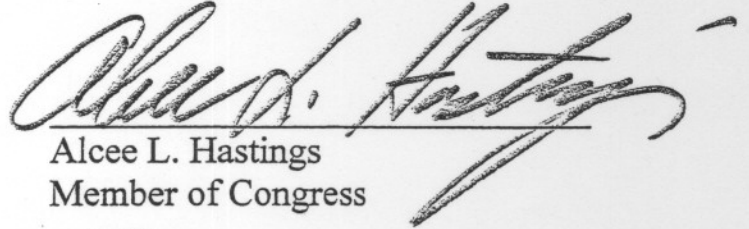
We hope this matter will be given the highest priority to ensure that all voters have equal access to the ballot box. These reports are particularly suspicious because of their proximity to Florida's primary and general election, and millions of voters will go to the polls. We bring these matters to your attention and ask that the Justice Department immediately investigate them to ensure that the power of the

State of Florida is not used to intimidate minority voters. We await your expeditious response to discuss this matter further.

Sincerely,



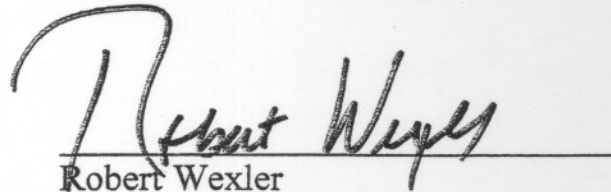
Corrine Brown  
Member of Congress



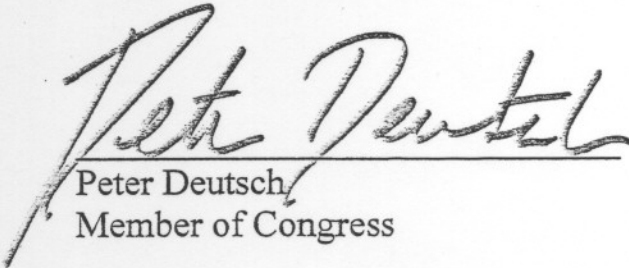
Alcee L. Hastings  
Member of Congress



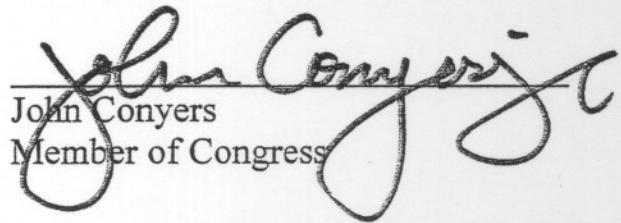
Kendrick B. Meek  
Member of Congress



Robert Wexler  
Member of Congress



Peter Deutsch  
Member of Congress



John Conyers  
Member of Congress